

FARMINGTON CITY COUNCIL MEETING

Wednesday, December 4, 2002

CITY COUNCIL WORK SESSION/WEST CONFERENCE ROOM

PRESENT: Mayor Pro Tem Haugen, Council Members Hasenyager, Holmes and Johnson, City Manager Forbush, and Deputy Recorder Chipman. Mayor Connors, Council Member Hale, and City Planner Petersen were conducting interviews of applicants for vacancies on the Planning Commission.

Mayor Pro Tem Haugen began discussion at 6:45 P.M. The following items were reviewed:

- ⌞ Andrew Gemperline of the Utah Department of Transportation will report on the City's request for U. S. 89 south bond off ramp between Shepard and Burke Lanes during the regular session.
- ⌞ The City Council may wish to combine discussion of items #5 and #6 regarding the proposed Original Townsite Residential Zone (OTR).
- ⌞ The City Council will consider annexation of 443 acres in northwest Farmington. A brief discussion regarding zone designations ensued.
- ⌞ Past experience with the original developer of the Held Subdivision raised concern by some City Council members. It was felt that issues involving drainage and fencing would need to be resolved before approvals were given.
- ⌞ Agenda items #9 and #11, pertaining to the Griffin Subdivision and the Prows rezoning request respectively, were briefly reviewed.
- ⌞ Mr. Forbush explained agenda item #14 which requested authorization to apply for "CDBG" Small City Grant Funds. He stated the boundaries of properties for consideration within grant criteria would need to be carefully deliberated. Some grant applications required a certain percentage of low and medium income families within the area.
- ⌞ Mr. Forbush had been in contact with Davis County officials. A meeting has been scheduled for December 17th to discuss creation of an Economic Development Agency and project area.
- ⌞ Mr. Forbush went over agenda item #17. Because of the growth in the City, the Public Works Department had been experiencing difficulty covering all required assignments. Mr. Forbush asked that the City Council consider policy changes

limiting use of the Public Works Department in volunteer special events and other activities.

- ▮ Agenda items #18 and #19, regarding PSOMAS Engineering proposals and controlled burn projects in the Somerset Farms area respectively, were briefly reviewed.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor David M. Connors, Council Members David Hale, Bob Hasenyager, Larry W. Haugen, Susan T. Holmes, Edward J. Johnson, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, and Deputy Recorder Jeane Chipman.

Mayor Connors called the meeting to order at 7:00 P.M. The invocation was offered by David Petersen and the Pledge of Allegiance was led by Margy Lomax.

APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the November 15, 2002, Special City Council Meeting were read and corrected. **Susan Holmes** *MOVED* to approve the minutes as corrected. **David Hale** seconded the motion. The voting was unanimous in the affirmative. **Bob Hasenyager** abstained due to his absence during the November 15th meeting.

Susan Holmes *MOVED* to approve minutes for the November 20, 2002, City Council meeting as written. **Larry Haugen** seconded the motion, which passed by unanimous vote. **Bob Hasenyager** abstained due to his absence during the November 20th meeting.

Minutes of the November 21, 2002, City Council's Farmington Economic Development Focus Plan Meeting were considered. **Larry Haugen** *MOVED* that they be approved as written. The motion was seconded by **Susan Holmes**. The motion passed by unanimous affirmative vote.

Bob Hasenyager *MOVED* that the minutes of the Special Farmington City Council Meeting held November 21, 2002, be approved as written. **Susan Holmes** seconded the motion, which passed by unanimous vote.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen reported there had been no meeting of the Planning Commission since the last City Council meeting.

REPORT OF UDOT RELATED TO CITY'S REQUEST FOR U.S. 89 SOUTHBOUND OFF RAMP BETWEEN SHEPARD AND BURKE LANES AS PART OF THE RECONSTRUCTED U.S. HIGHWAY 89 PROJECT/ANDREW GEMPERLINE (Agenda Item #4)

Mayor Connors introduced Andrew Gemperline, Project Director for the Legacy Parkway.

Andrew Gemperline stated he was present primarily to gain public input about the proposal to redesign the road reconstruction at Shepard and Burke Lanes to accommodate Farmington City's request for an off ramp. The Utah Department of Transportation (UDOT) had carefully analyzed the City's request and had concluded it would benefit the area to have the off ramp instead of the on ramp. The UDOT officials detailed the traffic movement as currently planned. It was anticipated that all work would be completed by the fall of 2004.

Mayor Connors invited brief comments from the audience and stated that UDOT officials would be available in other rooms of the building for citizen's questions at the conclusion of the agenda item.

Carl Downing (1548 Pinehurst Lane) raised a concern about possible stacking on the high-speed freeway that could occur at the site of the off ramp.

UDOT Officials stated that models had been carefully studied, and it had been decided there would be adequate weave function in the area to negate stacking.

Mr. Johnson asked how the new construction would tie in with the Legacy Parkway, should it ever be developed.

Mr. Gemperline declined to comment in detail on the connection, citing courts had not as yet decided the fate of the Parkway. A brief discussion ensued regarding possible connections if construction of the Legacy Parkway is ever allowed.

In response to a request by the Mayor, Mr. Gemperline restated the critical nature of providing a west I-15 frontage road between Shepard and Burke Lane for the west side population to use. If the connector road was not constructed, traffic would inundate Shepard Lane and cause failure of the transportation design. Mr. Gemperline stated that the proposed west side frontage road *must* go in.

Mr. Forbush stated that the traffic design was projected to the year 2020 and that at that point, the level of service for Shepard Lane with the proposed design would be "C," indicating less than ideal circumstances but much better than failure. With the current design and the proposed construction of a west side frontage road, the population of west Farmington and west Kaysville would travel to the Burke Lane interchange rather than use Shepard Lane.

Mayor Connors said negotiations to gain approval for the southbound off ramp had been a difficult project, taking several months to conclude. Necessity for decisions regarding U.S. 89 reconstruction had been moved up by 5 or 6 years due to court actions on the Legacy Parkway. The City's traffic engineers had been working with UDOT engineers, the results of which will benefit Farmington citizens for decades. He expressed appreciation for the Legacy team. The

decision to include the southbound off ramp was extremely important to Farmington, its citizens, and several entities in the community.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE ENACTING CHAPTER 17 TO ZONING ORDINANCE [ORIGINAL TOWNSITE RESIDENTIAL ZONE (OTR) TEXT] AND MAKING AMENDMENTS TO OTHER RELATED ORDINANCES (Agenda Item #5) ALSO PUBLIC HEARING: CONSIDERATION OF ORDINANCE REZONING FOUR-BLOCK AREA OF DOWNTOWN FARMINGTON [100 TO 300 NORTH BETWEEN MAIN STREET AND 200 EAST (BOTH SIDES OF STREET)] FROM R-2 AND L-R TO OTR (Agenda Item #6)

After discussion and by consensus, the City Council decided that agenda items #5 and #6 would be discussed simultaneously. **Mayor Connors** stated that a public hearing would be conducted for each agenda item and suggested that the Council take comments on both issues during each public hearing.

Mr. Petersen said the City Council had reviewed the proposed Original townsite Residential (OTR) zone during their last meeting. Many neighborhood meetings and several public hearings had been conducted. Staff began last spring working with the study area. A working committee including citizens and staff had considered several specific areas of concern including secondary dwellings, flag lot restriction with special consideration for lot widths, construction quality, allowable facade colors, and fencing. Most property in the area is currently zoned R2. Mr. Petersen stated that the City Attorney, Lisa Romney, had reviewed the proposed OTR zone and had some comments. The Planning Commission had considered the proposal carefully and recommended adoption. However, the Planning Commission recommended that the BP “hook” area not be rezoned at this time. During public hearings, some citizens raised questions about why the entire downtown area had not been included in the study area. Mr. Petersen made the determination about the area included on a work load basis. If the OTR proposal is approved, it is anticipated that staff will seek out perhaps 4 more neighborhoods and go through a similar process with neighborhood meetings and public hearings. The process will likely take 9 to 12 months.

Mayor Connors opened the meeting to a *PUBLIC HEARING* for Agenda Item #5 and reminded the citizens that at a time specific he would close the public hearing on Agenda Item #5 and open a hearing for Agenda Item #6. However, comments would be taken regarding either item during both hearings.

Darrell Lake (53 East 100 North) lived in the BP “hook” area left out of current rezone consideration. He thanked City Officials for their personal concern about his situation. He had been contacted and his concerns had been heard. He expressed his thanks for being allowed to have a say in the zone designation of his property.

Leon Lawson (236 East Oak Lane) owned investment property on 200 East and 300 North. He asked how the zone would affect his property, what the purpose of the new zone designation was, and why it had to be done at this point in time. He commented that the area had

done without the zone to this point and there seemed no reason for the change.

Richard Ellis (44 East 400 North) asked several questions about the ordinance creating the new zone. He wondered what the Farmington Historical Preservation Commission was and what function it would have in approval of applications within the OTR zone. Would it be another group similar to the Planning Commission that people would have to go through to be able to improve their property?

Mr. Forbush stated the Farmington City Historical Preservation Commission had been in existence for several years. Its function was to encourage the preservation of historically significant homes and other structures in the City. It has been used as an advisory body to the Planning Commission in some instances.

Mr. Ellis asked if it was a volunteer group (the answer was affirmative) and why there had to be another hoop through which citizens had to go in order to obtain a building permit.

Mr. Forbush said the Historic Preservation Commission would only be asked for their advice on specific projects at the request of the Planning Commission and only if the building under consideration was of historical significance.

David Petersen stated the Historic Preservation Commission was a group of very talented and knowledgeable citizens, who in the past had been very helpful to both the Planning Commission and City Staff. The Planning Commission will only ask for their help if their expertise is needed.

Mr. Ellis raised a concern regarding restrictions on aluminum and vinyl construction materials. He said references to such in the ordinance were vague.

Mr. Petersen stated some of the language of the ordinance had been changed. For instance, references to “viewable sides” had been changed to the “rear and sides” of buildings.

Mr. Ellis said that wood may deteriorate and aluminum or vinyl may be the preferable construction material. Restrictions in the ordinance should be reviewed and those materials should be allowed. Fences constructed of those materials should also be allowed.

Mr. Petersen stated that the Planning Commission had included language that would allow for flexibility in the selection of construction material. If citizens wished to use materials other than those outlined in the ordinance for good reason they could request a review by the Historical Commission.

Mayor Connors *CLOSED* the hearing for Agenda Item #5 and opened the *PUBLIC HEARING* for Agenda Item #6, reminding citizens they could continue to make comments on both agenda items.

Derek Blood (93 East 100 North—property within the BP “hook” area) stated it was very

nice to be able to work with the City Officials because the zone designation OTR did not work with what he had in mind for his property. He wanted to be excluded from the rezone.

Lynn Sessions (128 East 300 North) wanted to know more about the City Attorney's changes. He asked that citizens be given an updated ordinance.

Mr. Petersen said the Attorney's changes were mostly word-smithing.

Sheldon Kilpack (representative of the Lagoon Corporation) stated there were important issues of historical importance addressed in the OTR zone ordinance. Lagoon owned several homes on the perimeter of the proposed OTR area. Lagoon's only concern was about the restrictions on secondary dwellings. Restoration costs were so high that in order to recoup costs it may be necessary to turn homes into multi-family dwellings. He felt that could be done, still maintaining the historical integrity of the original structure. He advocated a process whereby property owners could apply for secondary dwellings if historical standards were maintained.

Jordan White (Kaysville resident) expressed concern about what he considered as vague areas in the ordinance. He felt there should be clearer guidelines on esthetics instead of arbitrary standards dictated by taste. Citizens within the OTR area would be bearing the financial burden from which the rest of the City would benefit. He was concerned with the costs of the architectural improvements required in the ordinance. He asked if there could be a tax benefit given those living in the area to offset the expenses imposed.

Annette Tidwell (67 West 100 North) said that as a member of the Farmington Historical Preservation Commission she had numerous concerns. She wanted to know the exact function the Commission would serve as prescribed by the ordinance and wanted education about the standards outlined in the OTR. She wondered why there were limitations on construction quality for the area when there was no mention of junk cars or other eye-sores sometimes seen in the old townsite.

Rick Anderson (45 East 300 North) stated he had been a member of the working committee considering the OTR. The committee purposely stopped short of detailed, specific restrictions in order to protect the individual rights of property owners. There had been a wide range of ideas and feelings expressed during the work sessions and neighborhood meetings. All opinions had been considered and valued. Originally, an historic overlay had been proposed. The overlay idea was rejected by the residents. The usual CC&Rs of subdivisions did not exist in the old town site because it was not platted. Protective covenants do not exist. In order to preserve the unique character of the area, the OTR was created. The OTR deals mostly with new construction in order to preserve what Farmington has in its historic district. Mr. Anderson referred to the property owned by Lagoon which had been left vacant for several years. He indicated that Lagoon needed to address the problem. He was in favor of the OTR zone.

With no further comments, **Mayor Connors** *CLOSED* the public hearing and asked the Council for their consideration. He suggested that there could be a few language refinements made to the ordinance and that the Council could then review it again in their next meeting on

Mr. Petersen said he could meet with the Historic Preservation Commission and review aspects of the ordinance relevant to them.

Mr. Hale stated that the reason he felt the Board of Adjustment should be eliminated from the process currently proposed in the ordinance was because of the appeal process. When someone feels it necessary to appeal a decision by the Board of Adjustment, they must go to court. If, however, the process includes the Planning Commission instead of the Board of Adjustment, an appeal could come before the City Council.

Mr. Haugen said work done on the ordinance was very good. He had some concerns including restrictions on construction quality and color. All different colors were used in original pioneer homes. New construction materials should not be mandated if historic materials are available and in good condition. Also, fence restrictions for corner lots needed to be reconsidered.

Mr. Johnson asked how much time it would take to complete the revisions on the ordinance.

Mr. Petersen stated that if he met with the Historical Commission at length it could be January before the draft was completed.

Mr. Forbush suggested ordinances are all “works in progress,” undergoing refinements and revisions as needs indicate. It may be worth getting the OTR on the books knowing that amendments would be needed.

Mr. Petersen agreed and said that work with future downtown areas may raise other necessary changes.

Ms. Holmes appreciated the time it took to create the current draft and conceded that none of the City’s ordinances were perfect. She suggested that areas needing redrafting should be noted so they would not be neglected. She also felt that it would not be wise to rush the process unnecessarily and create mistakes. She was inclined to adopt the ordinance and then proceed carefully to make sure all issues were properly addressed. Ms. Holmes specifically mentioned comments made by Alysa Revell in a letter dated October 7, 2002, which should be considered for inclusion in the ordinance.

Mr. Johnson asked why the ordinance had to be in place at this point in time.

Mr. Petersen reviewed the history of the grant application and funding being use to help preserve the old townsite. Infill ordinances had been rejected by property owners. The idea to create conservation housing overlay was also rejected. As the town grows, it has been noted that problems are beginning to creep into the historic areas of the City. The old town site is a delightful showpiece for the City which may be lost if not protected immediately. The project

was intended to stop the historic housing stock from disappearing and to help keep property value in place.

Susan Holmes commented on the Board of Adjustment issue, stating that leaving the Board in the process could create a financial burden on the citizens. She stated that the Planning Commission rules on exceptions, where the Board rules on law.

Mr. Haugen suggested language changes to state that construction material could be “new or comparable.” Also, that the section on color could state: “earth tone hues or colors used historically.”

Mr. Hasenyager felt the ordinance should be adopted and that due consideration should be given several issues as discussed, including comments made by Ms. Revell. He felt that the working committee should review the changes proposed and have further input.

Mayor Connors asked when the current moratorium would expire (Mr. Petersen responded the expiration date was December 12). The Mayor stated the Council should probably take comments on the issues at their meeting on December 11th with a commitment to take action before the moratorium expired. Then, if needed, the Council could review other changes. He directed staff to check with the City Attorney regarding concerns about the Board of Adjustments. Mr. Petersen was asked to meet with the Historical Preservation Commission and the citizens’ working committee.

Ms. Holmes asked that there be an outline of specific ideas for revision as discussed in any motion made for acceptance so items would not be lost.

Mayor Connors applauded the involvement of the citizens in the project and asked that the draft be ready for reconsideration at the meeting on the 11th of December. The goal would be to enact the ordinance if possible even if additional work was needed.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE ANNEXING 443 ACRES IN NORTH WEST FARMINGTON (WEST OF D&RG TRACKS AND NORTH OF FARMINGTON RANCHES SUBDIVISION TO THE KAYSVILLE CITY BOUNDARY; CONSIDERATION OF ZONE DESIGNATION OF AE FOR CERTAIN PORTIONS OF THE NEWLY ANNEXED AREA. (Agenda Item #7)

Mr. Petersen described the property being proposed within the annexation request area. He stated that property values and percentage of property owner approval exceeded what was needed. There had been a request to designate zoning for property east of the 4218 elevation level as AE, west of that level as A. The Planning Commission recommended the annexation. Transportation designs would be a crucial consideration. Mr. Petersen said early schematic site plan designs which had been presented to the Planning Commission would need to be adjusted because of wetlands and other problems.

Mr. Hasenyager wanted a clarification of what property owners were involved—were

smaller lots within the area in favor of annexation?

Mr. Petersen stated there had been no protests declared.

Mayor Connors opened the meeting to a *PUBLIC HEARING*.

JR Warner (part owner of the Clark property) showed the Council the yield plan for property he owned. He said that sale of the property depended on receipt of the zone designation AE.

With no further comments, **Mayor Connors** *CLOSED* the public hearing.

Susan Holmes *MOVED* that the City Council adopt Ordinance No. 2002-43, an ordinance extending the corporate limits of Farmington City to include the annexation of a part of northwest Farmington located west of Denver Rio Grande Western Railroad track, north of Clark Lane and the Farmington Ranches Subdivision development, and south of the Kaysville City limits and amending the Farmington City zoning map to zone and designate this area as "AE," "A" and "AA" (specifically that the Warner property be zoned AE) upon its annexation to the City. **David Hale** seconded the motion.

In discussion of the motion, **Mr. Hasenyager** wanted to clarify that an addendum would be attached to the ordinance showing exactly which areas would receive which zone designation according to elevation and petitioner request. He said that all property should be zoned "A" unless otherwise requested or determined by elevation. By consensus, the City Council agreed with Mr. Hasenyager.

Voting on the motion was unanimous in the affirmative.

**PUBLIC HEARING: CONSIDERATION OF REQUEST TO VACATE LOTS 1 AND 2 OF
HELD SUBDIVISION/CONSIDERATION OF CONDOMINIUM PLAT APPROVAL
(Agenda Item #8)**

Mr. Petersen stated the Council had considered the request previously but time limitations had expired. Regarding drainage, the developer had made improvements which assured no water would flow onto property to the south. The Planning Commission addressed fencing issues. There exists a thick growth of trees on portions of the property boundary which may precluded fence construction in order to preserve the greenery. However, the Planning Commission was sensitive to Brad Palmer's request for a fence, and so Mr. Petersen was asked to contact him. Upon such contact, Mr. Petersen found that Mr. Palmer had envisioned a chain link fence on which he could grow vines for privacy. The fence was requested to be 8 feet in height along the entire property line.

Mr. Forbush asked what the relationship was between the current applicant (Randy Lewis) and the original developer (Mr. Anderson).

Mr. Lewis stated he represented Washington Federal Savings and there was no relationship between himself and Mr. Anderson.

Mayor Connors opened the meeting to a *PUBLIC HEARING*.

Randy Lewis (representing Washington Federal Savings) stated the border between his property and the Palmer property was heavily wooded and that constructing a fence would damage the greenery.

Mayor Connors noted the two parties involved were present and should negotiate a compromise between themselves and then come back to the City Council.

Ed Johnson *MOVED* that the public hearing be continued. **Susan Holmes** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION TO APPROVE AMENDMENT TO KNIGHTON SUBDIVISION BY VACATING ALL OF PARCEL 1 OWNED BY DAVID GRIFFIN AND APPROVING THE INCLUSION OF THIS PARCEL INTO THE FINAL PAT OF GRIFFIN SUBDIVISION (Agenda Item #9)

Mr. Petersen reviewed the background information regarding the agenda item. The issue was a technical item needing attention prior to application by Mr. Griffin for final plat approval. It was a procedural step.

Mayor Connors opened the meeting to a *PUBLIC HEARING*. With no forthcoming comments, he *CLOSED* the public hearing.

Larry Haugen *MOVED* that the City Council adopt Ordinance No. 2002-44, an ordinance authorizing the Mayor to enter an order vacating and amending Parcel 1 of the Knighton Subdivision

and directing that the same be recorded with the Davis County Recorder's Office. **Bob Hasenyager** seconded the motion, which passed by unanimous vote.

REQUEST FOR BOUNDARY LOT LINE ADJUSTMENTS IN FARMINGTON HILLS EAST SUBDIVISION PLAT "B", PERTAINING TO LOTS 202 AND 203/DAVID AND CARMA MILLER AND GREG AND CINDY GARFIELD (Agenda Item #10)

Mr. Forbush briefly reviewed the agenda item.

David Hale *MOVED* that the City Council approve the requested lot line adjustment as described in the quit-claim deed. **Larry Haugen** seconded the motion, which passed by unanimous vote.

RICHARD PROWS REZONING REQUEST TO PERMIT DUPLEX LOT AT 1100 WEST

SHEPARD AND RELATED INTERSECTION RAMIFICATIONS/GENERAL DISCUSSION (Agenda Item #11)

Mr. Forbush reviewed the issues related to the agenda item. Mr. Prows wanted to be able to sell the two zero lot line homes located at 1100 West Shepard as a duplex. In the opinion of the City staff, this would be a good move for the City conditioned on the new owner eliminating the driveway or drive approach to the east unit and constructing a new drive approach, driveway, and carport on the south side of the west unit giving one access onto Shepard Lane and one access onto 100 West. The current access created a potential problem so close to a signal, which may shortly be installed. The action would require a rezone of the property.

By consensus, the City Council conceptually approved the action.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #12)

Larry Haugen *MOVED* to approve the following items by consent as follows:

12-1. Approval of October's list of disbursements.

12-2. Approval of public improvements reimbursements agreements with Claims, Inc. There are two reimbursement agreements. These two reimbursements agreements that are included in the consent agenda were exhibits to the Development Agreements with Farmington Greens Subdivision and Claims, Inc. It is now time to approve the reimbursement agreements that were exhibits. In these agreements the City agrees to collect reimbursement costs from property owners on the north side of Clark Lane as they develop to reimburse Claims, Inc., for the cost of improving the north half of the street width of Clark Lane. These agreements only require the City to make a good faith effort in trying to collect these reimbursements and do not bind the City to do more than within its power. The requirement to collect reimbursement expires after 10 years. One agreement covers the street from 1100 West to the D&RG tracks. The other agreements covers Clark Lane improvement reimbursement from the D&RG tracks to 1525 West.

12-3. Minute motion declaring as surplus property certain video equipment as included herein and authorizing its sale over the internet. This video equipment was purchased a few weeks ago from State Surplus along with a lot of sound equipment. The City's Leisure Services Department will use the sound equipment but desires authorization to sell the video equipment for a minimum acceptable bid of \$1,000.

Susan Holmes seconded the motion, which passed by unanimous vote.

CONSIDERATION FOR ADOPTION OF A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$1,900,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2002, OF THE CITY

COUNCIL OF FARMINGTON CITY, DAVIS COUNTY, UTAH; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; PROVIDING FOR THE PUBLICATION OF NOTICE OF BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS. (Agenda Item #13)

Mr. Forbush briefly explained the motion needed for the agenda item, saying it was a resolution setting parameters for bonding issues.

David Hale *MOVED* that the City Council approve the resolution as presented. **Susan Holmes** seconded the motion, which passed by unanimous vote.

AUTHORIZATION TO APPLY FOR CDBG SMALL CITY GRANT FUNDS (Agenda Item #14)

After a brief discussion, **Susan Holmes** *MOVED* to authorize the City Manager to apply for one of two projects—either both sides of west State Street 300 West curb and gutter and drainage project; including sidewalk and sidewalk repair on 200 West and West State Street (north side) or the Citywide installation or removal of handicap accessible barriers. The choice of project will be subject to results of a survey now being conducted by the City regarding medium to low income households. **David Hale** seconded the motion, which passed by unanimous vote.

AGENDA AMENDMENT/RECONSIDERATION OF AGENDA ITEM #8

Larry Haugen *MOVED* to reopen Agenda Item #8. **Ed Johnson** seconded the motion, which passed by unanimous vote.

Mr. Petersen reported that Mr. Lewis and Mr. Palmer had reached a compromise regarding the fence between their two properties. They both agreed that a chain link fence would be constructed by Mr. Lewis with participation from Mr. Palmer the entire length of the property line.

Bob Hasenyager *MOVED* that the City Council adopt Ordinance No. 2002-45, an ordinance authorizing the Mayor to enter an order vacating and amending lots 1 and 2 of the Held Subdivision and directing that the same be recorded with the Davis County Recorder's Office. **David Hale** seconded the motion, which passed by unanimous vote.

David Hale *MOVED* that the City Council approve the condominium plat for lots 1 and 2 of the Held Subdivision subject to installation of a chain link fence the entire length of the property line. **Larry Haugen** seconded the motion, which passed by unanimous vote.

APPOINTMENT/REAPPOINTMENT OF PLANNING COMMISSION MEMBERS/AUTHORIZATION TO INVITE INTEREST IN CENTRAL FARMINGTON

PLANNING COMMISSION OPENING (Agenda Item #15)

Mayor Connors stated there had been 12 qualified applicants for 2 vacancies on the Planning Commission. Nine of the applicants lived in the geographical area of the City which needed representation on the Commission. Interviews had been held prior to the City Council meeting. Larry Jensen of the Planning Commission, David Hale of the City Council, David Petersen the City Planner, and the Mayor conducted the interviews. They should be ready to bring nominations to the next City Council meeting.

It was noted that Larry Jensen would be leaving the Planning Commission. Because he represents the central area of the City, it will be necessary to readvertise for his vacancy. If there are no qualified applicants from the central area, it would probably be appropriate to use someone from another area who had already been interviewed.

Bob Hasenyager *MOVED* that the City Council authorize the City Manager to place an appropriate notice in the City *Newsletter* for applications to the Planning Commission from the central area of the City. **David Hale** seconded the motion, which passed by unanimous vote.

CONSIDERATION OF RICH HAWS' LETTER REGARDING CREATION OF ECONOMIC DEVELOPMENT AGENCY AND PROJECT AREA (Agenda Item #16)

Mr. Forbush reviewed requests made by Mr. Haws in a letter dated November 21, 2002. The requests included:

- Approval of an EDA concept , study area, and team members. An EDA should be in place before the intersection and a portion of the road including appendage infrastructure is constructed. These improvements must be completed before marketing can begin. Mr. Forbush explained that there were certain policy questions regarding the EDA and that there was a need to contact specialists in the field.
- Mr. Haws asked that there be action taken to name the new parkway "North Pointe Parkway." Commissioners discussed this point to some degree. Some felt that the name of the parkway should be more unique to Farmington and that there were already many other "North Points" along the Wasatch Front.
- Mr. Haws also asked that the City Council approve a landscape agreement with UDOT for the upgrade of the parkway landscaping in exchange for the maintenance of the same by the City after completion of construction.

In discussion of economic development for the City, **Susan Holmes** cautioned that there are companies who will move into areas and take advantage of tax breaks and other incentives. At the point they are ready to begin contributing back to the cities, they move on to another place.

Mr. Hasenyager agreed and said that incentives to come into a city could also be an incentive to leave.

Mayor Connors felt that rather than subsidizing businesses it would be wiser to invest in infrastructure, which could entice quality businesses to come to Farmington and stay long term.

Mr. Forbush stated that Mr. Haws would like to have his requests placed on the agenda for December 11th. However, the City really needed the benefit of specialist help before consideration of Mr. Haws' proposals.

CONSIDERATION OF POLICY CHANGES LIMITING USE OF PUBLIC WORKS DEPARTMENT IN VOLUNTEER SPECIAL EVENT TYPE ACTIVITIES (Agenda Item #17)

Mr. Forbush reported difficulties being experienced by the Public Works Department, especially those arising when volunteer-run activities demand high levels of involvement. He said besides time restraint problems, Mr. Hokanson, Public Works Director, had been sidestepped and people were requesting assistance directly from his subordinates. Mr. Forbush read a suggested policy statement wherein language affirmed the fact that every department in the City is a resource and assignments should be "budgeted" (just as financial resources) according to governing principles. Such governing principles could state that special events that solely benefit the citizens of Farmington, such as Festival Days, should be strongly supported by the Public Works Department. The Department is aware of the activity and can set aside a specific time for support. Other activities that provide some benefit to Farmington residents but also provide major benefits to other private organizations should have limited participation by the City. Any activities not sponsored by the City but which still provide some benefits to the citizens could receive some assistance from the City upon approval by the City Council after receiving input from City staff. Mr. Forbush reviewed some of the City-sponsored activities run by volunteers which have required Public Works time and labor.

Susan Holmes discussed the fact that the City Council is a policy-making body and not a customer service department. She felt it would be appropriate to set policies for the Public Works Department and other City departments to clarify communication and involvement guidelines. Then the City Manager and the Public Works Department and other department heads should be allowed to implement the policies without further consideration or time involvement by the City Council.

Mayor Connors stated his personal feeling that the Frodsham's Christmas party for homeless people was a great activity. He wanted it associated with Farmington City.

City Council members discussed policies and concerns, including the following points:

- ▮ Communication guidelines need to be clarified to streamline Public Works Department effectiveness. Morale, effectiveness, and use of resources could be improved thereby.

- ▮ With the growth of the City, the City Council cannot micro-manage the many activities and department functions.
- ▮ Volunteers and City employees should be given advance notice of any changes in policies. Activities already underway should be allowed to function as per previous expectations. New policies could be implemented by January 1, 2003.
- ▮ Specific donations suggested for the Frodsham activity were discussed, e.g., giving them the wooden stage which the City does not use.

Mr. Forbush was asked to refine the policies and bring them back for reconsideration at the beginning of the new year.

CONSIDERATION OF PSOMAS ENGINEERING PROPOSAL FOR CULINARY WATER WELL-HEAD PROTECTION ORDINANCE AND STUDY (Agenda Item #18)

Mr. Forbush briefly reviewed information about updating the Drinking Water Source Protection Plans for Farmington City and PSOMAS Engineering's proposal. After consideration and by consensus, the City Council directed Mr. Forbush to have PSOMAS Engineering move ahead.

CONSIDERATION OF SOMERSET FARMS/LINDA HOFFMAN REQUEST FOR CONTROLLED BURN (Agenda Item #19)

Mr. Forbush reviewed a letter from Linda Hoffman dated November 27, 2002, wherein she requested a controlled burn of debris in the Shepard Creek channel to prevent serious fire hazard problems in the future. Mr. Forbush said the Fire Chief was willing to do the control burn but could not do so unless authorized by the Bureau of Air Quality. The property was County land.

Council members discussed the issue, including the following points:

- ▮ The Shepard Creek channel needs to be cleared for several reasons. Fire hazards conditions exist. Also, proper drainage is hampered because of the debris.
- ▮ Should the County be approached clean out the debris since it is their property and under their jurisdiction? Mr. Forbush said the County had been approached with no response to date.
- ▮ Farmington citizens and their homes are at risk, especially in drought years during hot, dry summer months.
- ▮ The County should be contacted and at least asked for permission to have the City's Fire Department clear the channel of the dead fall causing fire hazard.

MISCELLANEOUS

Knowlton Elementary Sidewalk Project

Mr. Hasenyager commented on the sidewalk extension on Shepard Lane which provided safer access for school children to reach Knowlton Elementary. The City Staff and Public Works Department were to be commended.

Mayor Connors stated that citizens had also come forth and expressed appreciation.

Hillside Access on 500 South

Mr. Hasenyager asked for an update regarding access to the mountains through the Hughes Estate Subdivision. No information was immediately available.

Graffiti in South Park

Mr. Johnson stated graffiti in South Park had been removed.

Fiber Optic Project

Mr. Johnson stated that the fact-finding committee working on information regarding installation of fiber optic lines in Farmington had recently had a good meeting. Members of the committee were qualified experts who had given many helpful suggestions. Mr. Johnson reviewed ideas presented by committee members.

Mr. Forbush stated one of the suggestions given by the committee involved the creation of Farmington's own fiber rings. Farmington City could install 2 fiber optic loops in the City and then extensions would be installed as citizens and vendors made requests. Extensions would be funded by those making the request. The project could be accomplished through such means as an S.I.D. Mr. Forbush reported that AT&T had called just recently. This organization expressed interest of expending their fiber optics and services into residential areas along S.R. 106 and Main streets. Max suggested the company be approached to work with the City in a joint project. AT&T wanted services extended to groups of 400 residences. There will be a meeting held on December 18th at 4:30 to discuss possibilities. Mr. Forbush stated he would contact technical experts and invite them to be present.

Speed Limits on State Roads

Mr. Haugen noted that 200 West has two different speed limits. For people heading south it is 35 mph. For people heading north, it is 40 mph. He again stated the fact that it would be well to have UDOT consider consistency through the City.

Heritage Park Issues

Mr. Hale asked if there would be another public hearing to gain input about Heritage Park construction.

Water System Improvements

Mr. Forbush said upgrades to the pump houses (such as painting floors and pipes) were needed which would cost about \$5,000 over what had been estimated for currently approved improvements. The cost could be covered by miscellaneous maintenance funds.

By consensus, the City Council approved the expenditure.

Economic Development Tours

Mr. Forbush invited City Council members to meet at noon on Tuesday, December 10th, to tour existing office parks in other communities and meet with officials. If members were interested

in the tour but could not meet at the City Offices, they could meet at the Lake Park Offices around 12:45. Sack lunches would be provided.

Construction Coordination for Parks Upgrades

Mr. Forbush said that Main City park facilities are normally booked solid from May through September every year. He would like permission not to take Main Park reservations after Festival Days in the summer of 2003 in order for the Public Works Department to begin construction of planned improvements.

By consensus, the City Council approved Mr. Forbush's suggestion.

Donation to Police Department

Mr. Forbush reviewed a memo from Chief Hansen. A citizen of Farmington had asked permission to donate \$2500 to the Police Department. It was intended that the donation would come on a yearly basis. The Chief's suggestion was to use the money as incentive awards of the officers in the Department. The Council Members discussed the issue, including the following points:

- ¬ The City Attorney should be asked to review the situation, its legal implications, and possible problems.
- ¬ Officers of the Police Department were deserving of awards and incentives.
- ¬ Other City personnel were also deserving of such compensation. If the Police Department were given the incentives, other departments should be given

comparable awards.

- ▮ Some Council members asked if there were solutions such as memorial-type funds that could be established to equitably handle the generous donation on an on-going basis.
- ▮ It was recommended that the Personnel Committee review the issues and bring back a suggested policy after the beginning of the new year.

ADJOURNMENT TO CLOSED SESSION

At 11:15 P.M., **Bob Hasenyager** *MOVED* to adjourn to closed session for reasons permitted by law. **Larry Haugen** seconded the motion, which passed by unanimous vote.

At 11:30 p.m. **Larry Haugen** moved to go back into open session and **Bob Hasenyager** seconded the motion with all Council Members voting in favor.

Consolidated Fire District

Discussion was held regarding the possibility of Farmington joining a consolidated Fire District. Mayor Connors and Max Forbush had recently attended a meeting regarding consolidation. Mayor Connors stated that the City is pretty serious about joining the district. However, it is a complicated issue that needs more analysis and study. Many questions need to be answered such as, "What would happen to our firemen?" "Would some become full-time?" "Would we have to give up our existing Fire Station to the District?" "What about our equipment?" A county-wide consolidated fire district would divide the County into two or three zones with consolidated dispatch services. The fire district would like Davis County Sheriff's office to drop their paramedic program and let the fire district pick it up.

Mayor Connors stated that City officials would need to be convinced that it would be less money to join the district than to do it on our own and that the consolidated district would function more efficiently with better protection. If it doesn't save money and doesn't provide better service, there would be no sense to join. The economics of it need to be demonstrated. He felt it would be irresponsible if the City did not proceed carefully to study the district as an option.

ADJOURNMENT

There being no further business, upon motion of **Bob Hasenyager**, the meeting was adjourned at 11:50 p.m.

Margy Lomax, City Recorder
Farmington City